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26 UNITED STATES DISTRICT COURT
27 SOUTHERN DISTRICT OF CALIFORNIA

28 UNITED STATES OF AMERICA, ex rel.
19 RYAN FERGUSON and MARK T. PACHECO,

Case No. 11cv0493-BTM (POR)

20 Plaintiffs,
21 vs.
22 BRIDGEPOINT EDUCATION, INC.;
23 ASHFORD UNIVERSITY, LLC;
24 UNIVERSITY OF THE ROCKIES; and DOES
25 1-20,
Defendants.

UNITED STATES' NOTICE OF
CONSENT TO DISMISSAL
WITHOUT PREJUDICE TO
UNITED STATES

26 On December 26, 2012, the United States notified the Court, pursuant to the
27 False Claims Act, 31 U.S.C. § 3730(b)(4)(B), of its decision not to intervene in this
28 action. The Court's Order thereon, filed December 26, 2012, provides that, should

1 the relators or the defendants propose that this action be dismissed, settled, or
2 otherwise discontinued, the United States shall be provided with notice and an
3 opportunity to be heard before ruling or granting its approval. On April 30, 2013, the
4 relators filed a notice of voluntary dismissal of the action without prejudice under
5 Federal Rule of Civil Procedure 41(a)(1).

6 The United States hereby notifies the Court, pursuant to 31 U.S.C. § 3730(b)(1),
7 U.S. ex rel. Killingsworth v. Northrop Corp., 25 F.3d 715, 723-25 (9th Cir. 1994), and
8 the aforementioned order dated December 26, 2012, that it consents and has no
9 objection to the Court's dismissal of the action so long as the dismissal is without
10 prejudice to the United States.

11 DATED: May 16, 2013

Respectfully submitted,

12 STUART DELERY
13 Principal Deputy Assistant
Attorney General

14 LAURA E. DUFFY
15 United States Attorney

16 /s/ Joseph P. Price, Jr.
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